**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 82 OF 2006.**
**IN**
CIVIL REVISION APPLICATION NO. 33 OF 2005.

Gani Husain Pathan & anr. ..Applicant.
vs.
Maharashtra State Board
of Wakfs & ors. ..Respondents.

Shri Niyaz Ahmed for the applicant.

**CORAM: A.M. KHANWILKAR,J.**
**DATED: 21st July 2006.**

**P.C.:**

. The reason given in the application is unacceptable; for the Advocate cannot fully depend on the Clerk for being informed as to what matters are listed before the Court. Advocate is also expected to watch the board himself to ensure that no matter in which he is appearing is listed before the Court on the given date. However, as litigant should not suffer for the mistake of the Advocate, application is allowed in terms of prayer clause (a), on condition that Advocate for the applicant shall personally pay costs to the High Court Legal Services Authority, quantified in the sum of Rs. 1000/- (Rs. one thousand) within one week from today, failing which office to treat this applicaton as having been dismissed for non-prosecution.

2. If costs is paid in time, Revision application be restored to file and be posted for

hearing in the following week under the caption "Withdrawal" as the applicant may like to withdraw the main proceedings.

**(A.M. KHANWILKAR,J.)**